

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**FRANK SACCO,**

**Petitioner,**

**v.**

**9:07-CV-0078**

**UNITED STATES PAROLE COMMISSION,  
et al.,**

**Respondents.**

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**APPEARANCES:**

**OF COUNSEL:**

FRANK SACCO  
Petitioner, *pro se*  
03-A-5346

ANDREW T. BAXTER,  
Acting United States Attorney  
100 S. Clinton Street  
Syracuse, New York 13261  
Attorney for Respondent

CHARLES E. ROBERTS, ESQ.  
Assistant United States Attorney

**NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed on the 18<sup>th</sup> day of August 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

**ORDERED** that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The petition for a writ of habeas corpus is dismissed as moot on the basis that petitioner is deceased.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: September 25, 2008  
Syracuse, New York

A handwritten signature in black ink, appearing to read "Norman A. Mordue", written over a horizontal line.

Norman A. Mordue  
Chief United States District Court Judge